



Kansas Attorney General

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REQUEST FOR RELEASE OF BIOLOGICAL SAMPLES AND PROOF OF AUTHORITY

State of Kansas v. Shawn Parcells, et al., 2019 CV 233, Shawnee County District Court, Topeka, KS

Print name of decedent for which the release of biological samples is requested:

Next of kin are required by Court Order to establish authority to direct the disposition of human remains, if found, and consistent with K.S.A. 65-1734. The following procedure is required to establish such authority.

1. Please complete a consumer complaint, if not already completed. Please indicate the remedy you are requesting in the section titled "How can this harm be remedied." This may include the release of biological samples, the report, and/or restitution, if applicable.
(You may access the consumer complaint form at <https://ag.ks.gov/complaint-center/consumer>).
2. Please fully complete this form and provide it to this office.
3. Please provide proof of identification of the person completing this form. (provide a copy of a driver license, state identification or passport)

Please indicate below your relationship to the decedent (select one):

_____ Durable Power of Attorney for Health Care Decisions with authority to direct disposition of decedent's human remains. If so, attach a copy of the Durable Power of Attorney for Health Care Decisions.

_____ Spouse of decedent. If so, attach a certified copy of the death certificate.

_____ Decedent's surviving adult child(ren). If there is more than one adult child, any adult child shall confirm in writing to the Office of the Attorney General, prior to release of samples, the notification of all other adult children. Such adult child may direct the manner of disposition, unless the Office of the Attorney General receives timely written objection to the manner of disposition from another adult child.

_____ Decedent's surviving parents. If both parents survive, any parent shall confirm in writing to the Office of the Attorney General, prior to release of samples, the notification of the other parent. Such parent may direct the manner of disposition, unless the Office of the Attorney General receives timely written objection to the manner of disposition from the other parent.

_____ Persons in the next degree of kinship under the laws of descent and distribution to inherit the estate of the decedent. If there is more than one person of the same degree, any person of that degree may direct the manner of disposition.

_____ Guardian of the decedent at the time of such person's death. If so, attach a certified copy of appointment of guardian.

_____ The personal representative (or executor) of the decedent. If so, attach a copy of the will appointing the personal representative (or executor) of the decedent.

Disputes among persons with authority will be determined by the Court in *State v. Parcels, et al.*, 2019 CV 233, Shawnee County District Court, Division 8, 200 SE 7th Street, Topeka, KS, 66603.

Upon order of the Court, the Kansas Attorney General will release original “autopsy reports” in the form of a transcript, currently in its possession to the authorized person. The Attorney General makes no representations regarding the truth, accuracy or validity regarding the contents of the reports prepared by Defendants. Reports do not exist in all cases.

I understand the Kansas Attorney General and Kansas Department of Health and Environment make no representations regarding the preservation, storage, maintenance, quality, integrity and identity of biological samples while in the possession of Defendants. The biological samples obtained pursuant to the Order for Receiver issued in Shawnee County District Court, 2019CV233, have been under the care, custody and control of the Kansas Department of Health and Environment since January 7, 2020 and are released “as is”. Please be aware samples which are not able to be safely mailed or released are required to be medical disposed.

I understand by signing below I am representing I have authority to direct the disposition of biological samples of the named decedent, if found.

I request and direct the decedent’s biological samples, if found, be mailed, released or medically disposed as follows:

Print name of decedent: _____

Date and location of death: _____

Print name of person, funeral home, medical facility or business who will accept the biological sample:

Print complete mailing address, telephone number, name of responsible person and any special instructions, including designation for medical disposal, if applicable: _____

I declare and verify under penalty of perjury and the law of Kansas that all of the foregoing is true and correct to the best of my knowledge.

Printed Name of Authorized Person

Signature

Date

Next Steps:

1. Return this completed form, along with all required documentation to the Office of the Attorney General, by mail or fax using the address or fax number shown above.
2. Upon receipt of your Consumer Complaint and Request for Release, Plaintiff will investigate to verify your authority to determine disposition of the biological sample.
3. The Receiver will verify the sample, if found, is able to be safely released.
4. Plaintiff will send a certified letter to the authorized person requesting contact with this office to discuss the existence or absence of biological samples associated with your case.
5. Plaintiff will discuss with the authorized person and disclose if a sample exists.
6. Plaintiff will discuss with the authorized person where the sample is intended to be mailed, released or medically disposed.
7. Plaintiff will send notice of release to the Receiver.
8. Plaintiff will send a certified letter to the authorized person that either confirms the sample(s) are able to be released or that no sample exists. You will be asked to contact the Receiver to coordinate the details of the release if samples are identified for your case.
9. The Receiver will safely release the biological samples to the person and location designated by the authorized person or medically dispose as requested.